

# UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin

United States of America  
v.  
MATTHEW JOHN SHERVEN,  
date of birth XX/XX/1999

Case No. 24 MJ 177

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 9, 2024 in the county of Milwaukee in the  
Eastern District of Wisconsin, the defendant(s) violated:

*Code Section*

*Offense Description*

18 U.S.C. §§ 111(a)(1) and 111(b)

forcible assault on a federal officer with a dangerous instrument, to wit, a  
vehicle

This criminal complaint is based on these facts:

Please see Affidavit.

☒ Continued on the attached sheet.

  
Complainant's signature

David Bianchi, Special Agent - FBI

Printed name and title

Sworn via telephone; transmitted via email  
pursuant to Fed. R. Crim. 4.1

Date: 08/13/2024

  
Judge's signature

City and state: Milwaukee, Wisconsin

Honorable William E. Duffin, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT**

I, David Bianchi, being first duly sworn on oath, on information and belief state:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since September 2020. My current responsibilities include the investigation of violent crimes, including, among others, investigations pertaining to assaults on a federal employee.

2. This affidavit is submitted in support of a criminal complaint alleging that on or about August 9, 2024, in the State and Eastern District of Wisconsin, Matthew John Sherven (SHERVEN), date of birth XX/XX/1999, violated Title 18, United States Code, Sections 111(a)(1) and 111(b) (forcible assault on a federal officer with a dangerous instrument, to wit, a vehicle). Title 18, United States Code, Section 111(a)(1) makes it a crime for anyone to forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated as federal officer or employee of the United States or of any agency in any branch of the United States Government while the officer is engaged in the performance of her official duties. Section 111(b) provides for enhanced penalties when the assault is committed with a dangerous weapon.

3. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging SHERVEN with felony forcibly assaulting, resisting, or impeding certain officers or employees, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that SHERVEN committed the offense alleged in the complaint.

4. The information in this affidavit is based upon information obtained from other law enforcement officers, including reports I have read and conversations I have had with individuals personally knowledgeable of the events and circumstances described herein.

5. On August 9, 2024, at approximately 5:20PM, SHERVEN arrived at the FBI-Milwaukee Visitor Screening Facility located at 3600 S. Lake Drive, in St. Francis, Wisconsin. SHERVEN was driving a black 2004 Chevrolet Monte Carlo bearing Wisconsin license plate ANB3187. The vehicle was registered to SHERVEN via the Wisconsin Department of Transportation.

6. When SHERVEN arrived at the FBI-Milwaukee Visitor Screening Facility, he parked his vehicle in the visitor parking lot. SHERVEN exited his vehicle and threw an unknown object over the perimeter fence that surrounds the FBI-Milwaukee property. Upon seeing SHERVEN's vehicle enter the parking lot, J.A. and J.B., the on-duty contract security guards, exited the visitor screening facility and approached SHERVEN. J.A. and J.B. were familiar with SHERVEN from prior encounters at FBI-Milwaukee, the most recent being the day prior on August 8, 2024.

7. As J.A. and J.B. were approaching SHERVEN's vehicle, SHERVEN reached into his vehicle and retrieved a metal baseball bat. SHERVEN then walked to an unoccupied vehicle that was parked nearby and began to strike the passenger side of the vehicle with the baseball bat. The vehicle was an unmarked FBI vehicle registered to FBI-Milwaukee. Damage was caused to the vehicle's passenger side "B" pillar.

8. After striking the parked vehicle with the baseball bat, SHERVEN retreated to his vehicle and entered the driver's seat. At that time, J.A. made contact with SHERVEN and attempted to pull him out of the vehicle. J.A. was able to remove the baseball bat from SHERVEN's possession. SHERVEN, whose driver's door was still open with J.A. in the doorframe, placed his vehicle into reverse and backed out of the parking spot. J.A. was then knocked to the ground by SHERVEN's open door causing abrasions to his lower right leg, right

elbow, and right hand. SHERVEN then pulled out of the parking lot and fled northbound on S. Lake Drive.

9. The contract security guards located at the FBI-Milwaukee Visitor Screening Facility fall under the purview of the Federal Protective Services and are therefore considered federal employees.

10. Video surveillance from FBI-Milwaukee corroborates the incident.

11. The package that was thrown over the fence by SHERVEN was later examined and was found to be a cardboard shoebox with a cell phone and thumb drive taped to the outside. Inside the shoebox were several additional thumb drives.

12. Officers from St Francis Police Department responded and took reports. After being shown a photograph of SHERVEN, J.A. confirmed SHERVEN was the individual involved in the incident.

13. SHERVEN's listed address in the Wisconsin Department of Motor Vehicles database is in Mount Horeb, WI. St Francis Police Department notified Dane County Sheriff's Office of the incident. Officers with Mount Horeb Police Department then located SHERVEN's vehicle as he was driving back to his residence and conducted a traffic stop. SHERVEN was taken into custody without incident and taken to Dane County Sheriff's Office where he was held on a temporary felony warrant for 2<sup>nd</sup> Degree Recklessly Endangering Safety, Criminal Damage to Property, and Disorderly Conduct.

14. On August 10, 2024, officers with St Francis Police Department conducted a Mirandized interview with SHERVEN. SHERVEN corroborated the accounts of J.A. and J.B. as well as the surveillance video from FBI-Milwaukee. SHERVEN advised that, since he was 19 years of age, he believed that the FBI was stalking him through a top-secret program. On August

9, 2024, he drove to FBI-Milwaukee and threw his cell phone and thumb drives containing “everything he had” over the fence in an attempt to stop the FBI from following him. SHERVEN advised that he wasn’t aware J.A. was standing in his doorframe as he was backing up and that he was just trying to get away from the property.

15. Based upon the information contained in this affidavit, I believe Matthew John Sherven forcibly assaulted an employee of the Federal Bureau of Investigation in violation of Title 18, United States Code, Sections 111(a)(1) and 111(b).